

1
2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON AT TACOMA

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 DARCY START,
8 ALYSON START, and
9 CHAD DEROUSSE,

10 Defendants.

NO. CR09-5220BHS

ORDER GRANTING MOTION
OF THE UNITED STATES FOR A
PROTECTIVE ORDER
TO MAINTAIN CUSTODY
OF PROPERTIES

11
12 THIS MATTER having come before the Court on the motion of the United States for a
13 protective order pursuant to 21 U.S.C. § 853(e)(1)(A), to maintain custody of certain properties
14 specifically named for forfeiture in the Bill of Particulars, filed in this case on August 19, 2009,
15 in connection to the Indictment, filed in this case on April 2, 2009, none of the defendants
16 having filed a response in opposition, and the Court having reviewed the motion and the
17 memorandum filed in support thereof, the Court now finds and rules as follows:

18 The properties to which this order refers to ("the properties") are as follows:

- 19
20 1. One (1) green 1996 GMC Suburban, VIN No. 1GKGK26RXTJ702372,
21 Washington State License No. 749ULH;
- 22 2. One (1) white 1992 Chevrolet Suburban, VIN No. 1GNGK26N0NJ317972
23 Washington, State License No. 623XOD;
- 24 3. One (1) blue 1999 Isuzu Rodeo, VIN No. 4S2CM58W7X4333231, Washington
25 State License No. 659VJM;
- 26 4. One (1) green 1996 GMC Yukon, VIN No. 1GKEK13R4TJ702941, Washington
27 State License No. 552UGV;
- 28 5. One (1) black 1999 Harley Davidson motorcycle, VIN No.
1HD1BHL19XY051024, Washington State License No. 878424;
6. One (1) blue 1999 Chevrolet Suburban, VIN No. 3GNFK16R0XG233678,
Washington State License No. 322NYB;

7. \$40,000.00 United States funds, more or less, seized from Bank of America account #xxxx1619, in the name of Diamond Crest Consulting Corporation;
8. \$3,454.79 United States funds, more or less, seized from Bank of America account #xxxx9307, in the name of Diamond Crest Consulting Corporation;
9. Assorted jewelry and precious metals (listed in more detail in "Exhibit A," Item/Contents List, which is attached hereto and incorporated as if fully set forth herein);
10. Assorted jewelry (listed in more detail in "Exhibit B," Item/Contents List, which is attached hereto and incorporated as if fully set forth herein).

The above-listed properties have been named in the Indictment and Bill of Particulars in this case as subject to forfeiture. The properties are currently in the custody of the Federal Bureau of Investigation and are subject to administrative forfeiture notice and claim proceedings under 18 U.S.C. § 983.


The United States is entitled to a protective order pursuant to 21 U.S.C. § 853(e)(1)(A), based upon the fact that the properties are named for forfeiture in the Bill of Particulars, in connection to the Indictment herein, which contains the allegation that, upon conviction, the properties are subject to forfeiture.

IT IS HEREBY ORDERED that the motion of the United States for a protective order is GRANTED; and

IT IS FURTHER ORDERED that the properties shall remain in the custody of the Federal Bureau of Investigation pending conclusion of the criminal forfeiture proceedings and further order of this Court.

The Clerk is Ordered to send copies of this Order to counsel for all parties of record.

DATED this 8th day of September 2009.


BENJAMIN H. SETTLE
United States District Judge

1 Presented by:

2 s/ Darwin P. Roberts

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“EXHIBIT A”

(Description of “Assorted Jewelry and Precious Metals”)

1. Eighteen 1oz silver bars;
2. Six 1oz silver bars;
3. One 1oz Chinese silver Panda;
4. One 1oz Australian silver rooster coin;
5. One 1oz Australian silver pig coin;
6. One 4oz silver replica \$100 note;
7. One 1997 Chinese 5 Yuan unicorn coin;
8. One 1974 British Virgin Islands proof 50 cents;
9. One 1974 British Virgin Islands proof 10 cents;
10. Eleven 1 gram gold bars;
11. One 1978 proof 1oz gold Krugerrand;
12. Three 1oz gold Krugerrands;
13. One 1oz Austrian Philharmonic gold coin;
14. Ten 1oz gold Pamp bars;
15. Fourteen 1 gram gold bars;
16. Thirteen Credit Suisse 5 gram gold bars;
17. Two 2007 1/10oz gold Chinese panda coins;
18. One 1986 1/10oz gold Chinese panda coin;
19. One 1/20oz gold Canadian maple leaf coin;
20. One bent 1861 U.S. gold dollar;
21. Approximately 6oz in miniature replicas of Saint Gaudens and other gold coins likely 10 Karat gold;
22. 1 gram placer gold;
23. 71.50 face value in 90% silver dimes, quarters, and halves;
24. One Gent's Bulova "Marine Star" model watch;
25. One 1981 Krugerrand one-ounce gold coin with frame and gold-plated chain

“EXHIBIT B”

(Description of “Assorted Jewelry”)

1. Ladies Citizen gold watch Model 3220-S25317
2. Ladies Lorus quartz watch with case
3. Mens fake Rolex "Daytona" watch
4. Mens Geneva Modern Quartz model watch
5. Ladies 14 kt gold ring with blue topaz stone
6. Ladies 10 kt gold ring with synthetic sapphire and cubic zirconia stones
7. Ladies 10 kt gold ring with sq. cut blue sapphire and diamonds
8. Ladies 10 kt gold ring with triangular blue sapphire and diamonds
9. Ladies 14 kt white gold heart shaped cluster diamond ring
10. Ladies 10 kt gold crossover design diamond ring
11. Ladies 14 kt white gold diamond ring with yellow gold accents
12. Ladies 10 kt white gold class ring with sapphire and diamonds
13. Ladies 10 kt gold ring with emerald and diamonds
14. Ladies silver ring with one cultured pearl
15. Ladies 10 kt gold ring with three cultured pearls
16. Oval shell cameo pendant in gold frame with gold chain
17. Ladies 14 kt white gold ring with blue topaz stones
18. Ladies 10 kt gold ring with 27 diamonds
19. Ladies sterling silver gold plated heart pendant o n chain
20. Ladies 10 kt gold ring, signet style with black accents
21. Ladies 10 kt gold ring, signet style with black accents
22. Baby ring, 10 kt gold, heart design in continuous circle
23. Baby ring, 10 kt gold, scrolled design in continuo us circle
24. Ladies 14 kt white gold ring with pink sapphires and diamonds
25. Pair of 14 kt yellow gold diamond earrings
26. Ladies 14 kt white gold ring with diamonds
27. Ladies platinum ring, with diamonds
28. Ladies white gold ring with tanzanite and diamonds
29. Ladies sterling silver ring with amethyst stone
30. Ladies sterling silver crossover design ring with emeralds
31. Ladies sterling silver ring with emeralds
32. Ladies sterling silver ring with 26 diamonds (green)
33. Ladies sterling silver braided top ring with diamonds (blue)
34. Ladies sterling silver bracelet with amethyst stones
35. Pair of 14 kt gold earrings (blue cubic zirconia)